

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROGER KOLB,

Defendant.

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8:16CR148

ORDER

This matter is before the court on the oral motion to continue by defendant Roger Kolb (Kolb). The motion was made during a release hearing on July 19, 2016. Kolb seeks a continuance of the trial of this matter which was scheduled for August 15, 2016. Kolb consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Government's counsel had no objection to the motion. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. Kolb's oral motion to continue trial is granted.
2. Trial of this matter is re-scheduled for **September 19, 2016**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 19, 2016, and September 19, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of July, 2016.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge